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17 August 2022

Gary Davies-Knight
Programme Manager
Amey Keolis Infrastructure/
Seilwaith Amey Keolis Limited
Transport for Wales
CVL Infrastructure Depot
Treforest Industrial Estate
Pontypridd
CF37 5UT

Chris Dellard
Head of Access Planning
Transport for Wales Limited
Llys Cadwyn
Pontypridd
CF37 4TH

Dear Gary and Chris

Approval of the 4th supplemental agreement to the track access contract between Amey Keolis Infrastructure / Seilwaith Amey Keolis Limited (CVL IM) and Transport for Wales Limited (TfW)

We have today approved the above supplemental agreement submitted to us formally on 17 August under section 22 of the Railways Act 1993 (the Act). This follows an earlier informal submission of a draft agreement for our consideration. This letter explains the reasons for our decision.

Purpose

The purpose of this agreement is to remove references to the Class 142 vehicles from Schedule 5, as these vehicles are no longer being used on the CVL network. It also amends Paragraph 1 of Schedule 1 to correct an error in the name of the infrastructure manager.

Industry consultation

Network Rail undertook the normal industry consultation for 1 month from 8 June. No concerns or objections were raised.



ORR review

Our review of the application raised no economic, operational or drafting concerns.

Our duties under section 4 of the Act and our decision

We have concluded that approval of this supplemental agreement strikes the appropriate balance in discharging our statutory duties under section 4 of the Act; in particular, those relating to protecting the interests of users of railway services (section 4(1)(a)), promoting the use of the railway network for the carriage of passengers (section 4(1)(b)) and enabling persons providing railway services to plan their businesses with a reasonable degree of assurance (section 4(1)(g)).

Conformed copy of the track access agreement

Under clause 18.2.4 of the track access contract, the CVL IM is required to produce a conformed copy, within 28 days of any amendment being made, and send copies to ORR and the Train Operator. Please send the conformed copy to me at ORR.

Public register and administration

Electronic copies of this letter, the approval notice and the agreement will be sent to Department for Transport and Network Rail's Regulatory Reform Team. Copies of the approval notice and the agreement will be placed on ORR's public register and copies of this letter and the agreement will be placed on the ORR website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Louise Beilby'.

Louise Beilby